AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Fig. 3. The sheet, which includes Fig. 3, replaces the original sheet including Fig. 3. In Fig. 3, a wrapper identified by reference number 60 has been added.

The attached sheets of drawings include new Fig 7. The sheet, which includes Fig's 5-7, replaces the original sheet including Fig's 5 and 6. In Fig. 7 is shown a tampon wherein the tampon is asymmetric about the longitudinal centerline of the tampon.

The attached sheets of drawings include new Fig. 8. In Fig. 8 is shown a tampon housed in an applicator, and the applicator is identified by reference number 62.

Attachment: Replacement Sheet

REMARKS

Claim Status

Claims 1-16 are pending in the present application. Claims 1 and 12-15 have been amended in the present response. No additional claims fee is believed to be due.

Claim 1 has been amended to:

delete the comma (,) on line 2; and

delete the phrase "opposite said insertion end region".

It is Applicant's belief that these amendments do not affect the scope of claim 1.

Claim 12 has been amended to delete the phrase "further comprising an applicator". Claim 12 has also been amended to change the antecedent basis of "applicator" from "said" to "an." It is Applicant's belief that these amendments do not affect the scope of claim 12.

Claim 13 has been amended to replace the phrase "further comprising an applicator," with the phrase "wherein said tampon is housed in an applicator". Support for this amendment is on Page 13 of the Specification, Lines 12-17. It is Applicant's belief that these amendments do not affect the scope of claim 13.

Claim 14 has been amended to:

delete the phrase "further comprising an applicator" on line 1;

change the antecedent basis of applicator from "said" to "an" on line 2;

add the phrase "a profile of" on lines 5-6.

It is Applicant's belief that these amendments do not affect the scope of claim 14.

Claim 15 has been amended to:

delete the phrase "further comprising a wrapper";

add the phrase "tampon is enclosed within", support for which is on Page 14, Lines 10-13 of the Specification;

delete the phrase "wrapper is";

add the letter "a" before and the term "wrapper" after the phrase "tightly conforming".

It is Applicant's belief that these amendments do not affect the scope of claim 15.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Specification

Objections to the Drawings

The drawings have been objected to under 37 C.F.R. §1.83(a).

It has been alleged that the densities as claimed in claims 1 and 7-11 are not shown in the drawings. Applicants respectfully traverse the objection to the drawings as applied to claims 1 and 7-11.

Claim 1 claims the following:

A tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, said self-sustaining tampon comprising:

d.) an insertion end region comprising an insertion end fiber density;

e.) a withdrawal end region, wherein said withdrawal end region comprises a withdrawal end region fiber density; and

f.) a center region intermediate said insertion end region and said withdrawal end region, wherein said center region comprises a center region fiber density;

wherein said self-sustaining shape has an outer surface which is substantially serpentine; and wherein said insertion end region fiber density is greater than said center region fiber density.

The insertion end fiber density is defined and referenced to Fig. 4, in the Specification on page 10, lines 30-31, "Also, it is desirable to have the average fiber density of the insertion end region 24 more than the average fiber density of the minimum perimeter region 54, located in the center region 32." Additionally, the withdrawal end region fiber density is defined and referenced to Fig. 4, in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not necessarily located at the "waist" of the center region 32." Further, the center region fiber density is defined and referenced to Fig. 4, in the Specification on page 11, lines 5-6, "Additionally, it is desirable to have the average fiber density of the insertion end region 24 greater than the average fiber density of the withdrawal end region 30 and the center region 32." Therefore Applicant requests the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 1, namely the average fiber density of the insertion end region 24, the average fiber density of the withdrawal end region 30, and the average fiber density of the center region 32.

Claim 7 claims the following:

The tampon according to Claim 1 wherein said insertion end fiber density and said withdrawal region fiber density are about equal.

The insertion end fiber density is defined and referenced to Fig. 4, in the Specification on page 10, lines 30-31, "Also, it is desirable to have the average fiber density of the insertion end region 24 more than the average fiber density of the minimum perimeter region 54, located in the center region 32." Additionally, the withdrawal end region fiber density is defined and referenced to Fig. 4, in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not

necessarily located at the "waist" of the center region 32." Therefore Applicant requests the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 7, namely the average fiber density of the insertion end region 24 and the average fiber density of the withdrawal end region 30.

Claim 8 claims the following:

The tampon according to Claim 1 wherein said insertion end has a maximum perimeter region in said insertion end region and a maximum perimeter region average fiber density, and wherein said center region has a minimum perimeter region and a minimum perimeter region average fiber density;

wherein said maximum perimeter region average fiber density is greater than said minimum perimeter region average fiber density.

The maximum perimeter region average fiber density is defined and referenced to Fig. 4, in the Specification on page 10, line 32 to page 11, line 2, "Similarly, it is desirable to have the average fiber density of the maximum perimeter region 52 located in the insertion end region 24, which typically resembles a bulb near the insertion end region 24 of the center region 54, which is more than the average fiber density of the minimum perimeter region 54 located in the center region 32." Additionally, the minimum perimeter region average fiber density is defined and referenced in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not necessarily located at the "waist" of the center region 32." Therefore, Applicant requests the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 8, namely the maximum perimeter region average fiber density 52 and the minimum perimeter region average fiber density 54.

Claim 9 claims the following:

The tampon according to Claim 8 wherein said maximum perimeter region average fiber density located in said insertion end region is from about 105% to

about 150% of said minimum perimeter region average fiber density located in said center region.

The maximum perimeter region average fiber density is defined and referenced to Fig. 4, in the Specification on page 10, line 32 to page 11, line 2, "Similarly, it is desirable to have the average fiber density of the maximum perimeter region 52 located in the insertion end region 24, which typically resembles a bulb near the insertion end region 24 of the center region 54, which is more than the average fiber density of the minimum perimeter region 54 located in the center region 32." Additionally, the minimum perimeter region average fiber density is defined and referenced in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not necessarily located at the "waist" of the center region 32." Therefore, Applicant requests the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 9, namely the maximum perimeter region average fiber density 52 and the minimum perimeter region average fiber density 54.

Claim 10 claims the following:

The tampon according to Claim 8 wherein said maximum perimeter region average fiber density located in said insertion end region is from about 110% to about 130% of said minimum perimeter region average fiber density located in said center region.

The maximum perimeter region average fiber density is defined and referenced to Fig. 4, in the Specification on page 10, line 32 to page 11, line 2, "Similarly, it is desirable to have the average fiber density of the maximum perimeter region 52 located in the insertion end region 24, which typically resembles a bulb near the insertion end region 24 of the center region 54, which is more than the average fiber density of the minimum perimeter region 54 located in the center region 32." Additionally, the minimum perimeter region average fiber density is defined and referenced in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not necessarily located at the "waist" of the center region 32." Therefore, Applicant requests

the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 10, namely the maximum perimeter region average fiber density 52 and the minimum perimeter region average fiber density 54.

Claim 11 claims the following:

> The tampon according to Claim 8 wherein said maximum perimeter region comprises a cotton and rayon blend having a first average fiber density and said minimum perimeter region comprises a cotton and rayon blend having a second average fiber density which is less than said first average fiber density.

The maximum perimeter region average fiber density is defined and referenced to Fig. 4, in the Specification on page 10, line 32 to page 11, line 2, "Similarly, it is desirable to have the average fiber density of the maximum perimeter region 52 located in the insertion end region 24, which typically resembles a bulb near the insertion end region 24 of the center region 54, which is more than the average fiber density of the minimum perimeter region 54 located in the center region 32." Additionally, the minimum perimeter region average fiber density is defined and referenced in the Specification on page 10, lines 26-29, "As seen in FIG. 4, in particular, it is desirable to have the average fiber density of the withdrawal end region 30 more than the average fiber density of the minimum perimeter region 54, located in the center region 32, which is often, but not necessarily located at the "waist" of the center region 32." Therefore, Applicant requests the withdrawal of the objection, as the drawings do show the fiber densities as claimed in claim 11, namely the maximum perimeter region average fiber density 52 and the minimum perimeter region average fiber density 54.

It has been alleged that the features claimed in claim 6 are not represented in the drawings. New Fig. 7 has been added to show a withdrawal end that is asymmetric about the longitudinal centerline of the tampon. Support for this amendment is in the Specification on page 2, lines 7-8. Further, the paragraph on page 2, lines 3-15 has been amended to include the phrase "as shown in Fig. 7".

It has been alleged that the features claimed in claims 12-14 are not represented in the drawings. New Fig. 8 has been added to show a tampon applicator **62**. Support for this amendment is in the Specification on page 13, line 14 to page 14, line 7. Further, Section II beginning on page 13, line 14 to page 14 line 7 has been amended to include

the phrase "as shown in Fig. 8". Additionally, Section II has been amended to assign reference number 62 to the applicator as shown in Fig. 8.

It has been alleged that the features claimed in claims 15-16 are not represented in the drawings. Fig. 3 has been amended to show a tampon wrapper **60**. Support for this amendment is on page 14, lines 10-16. Further, Section III beginning on page 14, line 10 to page 15, line 22 has been amended to include the phrase "As shown in Fig. 3", to indicate the wrapper. Additionally, Section III has been amended to assign reference number 60 to the wrapper as shown in Fig. 3.

Objections to the Description

The Abstract has been amended to:

delete the comma (,) on line 2;

change both semicolons (;) on line 4 to commas (,);

delete the phrase "The withdrawal end region" and add the word "which" on lines 5-6.

The Specification has been amended to;

delete the comma (,) on page 2, line 1;

delete the phrase "The withdrawal end region" and add the word "which" on page 2, line 5;

add the phrase "which has a withdrawal edge fiber density and is" on page 2, lines 9-10;

delete the phrase "comprising a withdrawal edge fiber density" on page 2 line 10.

The disclosure has been objected to as it has been alleged that the Summary of the Invention section and the invention of the claims is not commensurate. Applicant,

respectfully disagrees with this objection, however in the spirit of compact prosecution claim 1 has been incorporated in its entirety into the Summary of the Invention section.

The disclosure has been objected to as it has been alleged that the description on page 4, line 5 and page 4, line 12 in which it is stated that a tampon may be inserted into a vaginal canal or other body cavities, is inconsistent with that on page 4, lines 12-14, page 5, lines 3-4, page 6, lines 3-5. Applicant, respectfully disagrees with the objection.

In regard to page 4, lines 12-14, there is no inconsistency as the statement that the tampon is in a shape that is vaginally insertable does not suggest to one of ordinary skill in the art that it cannot also be inserted into other body cavities, as the description of a tampon as being insertable into the vaginal canal or other body cavities is described on page 4, line 5. As stated in MPEP 8ed §608.01(g) "An applicant is ordinarily permitted to use his or her own terminology". Further, as noted in the MPEP 8ed at §608.01(g) "This detailed description, required by 37 CFR 1.71, MPEP §608.01, must be in such particularity as to enable any person skilled in the art or science to make or use the invention without involving extensive experimentation."

Page 5, lines 3-4 discloses a use of a digital tampon, wherein the tampon with the use of a finger can be inserted into the vaginal canal. Disclosure of an example of use does not conflict with nor limit the description of the bodily areas in which a tampon may be used, as noted in the description of the term "tampon" on page 4 of the Specification. Page 6, lines 3-5 discloses that the insertion end region leads the insertion of the tampon into a vagina. Which it does, when a tampon is inserted into a vagina, however as noted in the description of the term "tampon" on page 4 of the Specification that is not the only bodily cavity in which tampons can be inserted.

Therefore, Applicant submits that there is no inconsistency in the Detailed Description in regard to the insertion of tampons.

In response to the objection that the description on page 8, line 12 is inconsistent with that on page 7, lines 16-17, Applicant, has amended the terms (10 mm) on page 7, lines 14-17 to incorporate "about." Applicant believes no new matter is being added as the terms were defined with "about" as noted in the Office Action on page 8, line 12.

Objections to the Claims

In response to the objections in the Office Action the following actions have been done:

the comma in line 1 of claim 1 has been deleted;

in claim 1 the phrase, "opposite said insertion end region" has been deleted; and

in claim 14 the term "a profile of" has been inserted after "observe".

Rejection Under 35 U.S.C. §112, First Paragraph

The Office Action States that claims 12-16 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Office Action alleges that claims 12-16 are unclear since the tampon is described as including further structure, i.e. structure which is part of the tampon, but then describes such structure as housing the tampon or wrapping the tampon on the outer surface of the tampon.

Applicant, neither agrees nor disagrees with this rejection as applied to claims 12-15, however in the spirit of compact prosecution claims 12-15 have been amended to remove the phrase, "further comprising."

Applicant respectfully traverses the rejection of claim 16 under 35 U.S.C. §112, second paragraph. The phrase, "further comprising" as used in claim 16 refers to a tampon wherein the tampon has texturing on its outer surface. There is no reference to further structures housing or wrapping the tampon in the claim. It is Applicant's position that claim 16 as written, is clear, and distinctly claims the subject matter that Applicant regards as the invention and that the rejection should be withdrawn.

Rejection Under 35 U.S.C. §102 Over U.S. 4,209,009 (Hennig)

Claims 1-5, 7, 8 and 16 have been rejected under 35 U.S.C. §102(b) as being anticipated by Hennig.

With respect to the novelty of claims 1-5, 7, 8 and 16: Applicant respectfully traverses the rejection as Hennig fails to disclose or teach a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Hennig teaches a tampon for closing of an excretory opening, which has two longitudinal sections **14** of low compressibility and high expansion capability, separated by an intermediate section **16** which can be thinner, but generally will be of a material of high compressibility and substantially lesser expansion characteristics than the sections **14**. (col. 2, lines 57-62) As noted in the Office Action on page 5, Hennig at col. 3, lines 17-20 discloses that, "a lesser expanding and/or higher compressible section **16** will be located between sections of low compressibility and high expansion." Therefore, Hennig differs from the tampon of the present invention in which the insertion end region is of greater density than the center region, in that Hennig requires the region of high compressibility to have sections of lesser compressibility on both sides of it along the longitudinal center line.

Accordingly, the Applicants respectfully submit that claim 1 and its dependent claims 2-5, 7, 8 and 16 are novel over Hennig and the rejection should be withdrawn.

Rejection Under 35 U.S.C. §102 Over U.S. 6,824,536 (Randall et al.) or 6,932,805 (Kollwitz et al.)

Claims 1-16 have been rejected under 35 U.S.C. §102(e) as being anticipated by Randall et al. or Kollwitz et al.

With respect to the novelty of claims 1-16: Applicant respectfully traverses the rejection as Randall et al. and/or Kollwitz et al. fail to disclose or teach a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Randall et al. teaches a shaped tampon wherein the average fiber density of the maximum perimeter region, which typically resembles a bulb near the insertion end of the center region, is less than the average fiber density of the minimum perimeter (center) region. (col. 6, lines 55-59) Further, Randall et al. discloses that the tampons may have a minimum perimeter (center) region fiber density that is from about 105% to about 150%, alternatively from about 110% to about 130% of the maximum perimeter region average fiber density. (col. 7, lines 1-5) Therefore, Randall et al. does not teach a tampon wherein the insertion end region fiber density is greater than the center region fiber density, but rather the opposite, wherein the fiber density is greater in the center region as compared to the insertion region.

Kollwitz et al. teaches a shaped tampon wherein the average fiber density of the maximum perimeter region, which typically resembles a bulb near the insertion end of the center region, is less than the average fiber density of the minimum perimeter (center) region. (col. 6, lines 4-8) Further, Kollwitz et al. discloses that the tampons may have a minimum perimeter (center) region fiber density that is from about 105% to about 150%, alternatively from about 110% to about 130% of the maximum perimeter region average fiber density. (col. 6, lines 17-21) Therefore, Kollwitz et al. does not teach a tampon wherein the insertion end region fiber density is greater than the center region fiber

density, but rather the opposite, wherein the fiber density is greater in the center region as compared to the insertion region.

Accordingly, Applicant respectfully submits that claim 1 and its dependent claims 2-16 are novel over Randall et al. and/or Kollwitz et al.

Rejection Under 35 U.S.C. §103(a) Over U.S. 4,209,009 (Hennig)

Claims 6 and 9-10 have been rejected under 35 USC §103(a) as being unpatentable over Hennig.

With respect to claims 6 and 9-10 and obviousness: Applicant respectfully traverses the rejection as Hennig fails to disclose, teach or suggest a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Hennig discloses a tampon for closing of an excretory opening, which has two longitudinal sections **14** of low compressibility and high expansion capability, separated by an intermediate section **16** which can be thinner, but generally will be of a material of high compressibility and substantially lesser expansion characteristics than the sections **14**. (col. 2, lines 57-62) As noted in the Office Action on page 5, Hennig at col. 3, lines 17-20 discloses that, "a lesser expanding and/or higher compressible section **16** will be located between sections of low compressibility and high expansion." Therefore, Hennig would not teach or suggest to one of ordinary skill in the art the tampon of the present invention in which the insertion end region is of greater density than the center region, in

that Hennig requires the region of high compressibility to have sections of lesser compressibility on both sides of it along the longitudinal center line.

Accordingly, Applicant respectfully submits that claims 6 and 9-10 are non-obvious in view of Hennig.

Rejection Under 35 U.S.C. §103(a) Over U.S. 4,209,009 (Hennig) in view of U.S. 6,283,952 (Child et al)

Claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Hennig in view of Child et al.

With respect to claim 11 and obviousness: Applicant respectfully traverses the rejection as Hennig fails to disclose, teach or suggest a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Hennig teaches a tampon for closing of an excretory opening, which has two longitudinal sections **14** of low compressibility and high expansion capability, separated by an intermediate section **16** which can be thinner, but generally will be of a material of high compressibility and substantially lesser expansion characteristics than the sections **14**. (col. 2, lines 57-62) As noted in the Office Action on page 5, Hennig at col. 3, lines 17-20 discloses that, "a lesser expanding and/or higher compressible section **16** will be located between sections of low compressibility and high expansion." Therefore, Hennig would not teach or suggest to one of ordinary skill in the art the tampon of the present invention in which the insertion end region is of greater density than the center region, in

that Hennig requires the region of high compressibility to have sections of lesser compressibility on both sides of it along the longitudinal center line.

Accordingly, Applicant respectfully submits that claim 11 is non-obvious in view of Hennig and Child et al.

Rejection Under 35 U.S.C. §103(a) Over U.S. 4,209,009 (Hennig) in view of U.S. 2,922,422 (Bletzinger)

Claims 12-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hennig in view of Bletzinger.

With respect to claims 12-15 and obviousness: Applicant respectfully traverses the rejection as Hennig fails to disclose, teach or suggest a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Hennig teaches a tampon for closing of an excretory opening, which has two longitudinal sections **14** of low compressibility and high expansion capability, separated by an intermediate section **16** which can be thinner, but generally will be of a material of high compressibility and substantially lesser expansion characteristics than the sections **14**. (col. 2, lines 57-62) As noted in the Office Action on page 5, Hennig at col. 3, lines 17-20 discloses that, "a lesser expanding and/or higher compressible section **16** will be located between sections of low compressibility and high expansion." Therefore, Hennig would not teach or suggest to one of ordinary skill in the art the tampon of the present

invention in which the insertion end region is of greater density than the center region, in that Hennig requires the region of high compressibility to have sections of lesser compressibility on both sides of it along the longitudinal center line.

Accordingly, Applicant respectfully submits that claims 12-15 are non-obvious in view of Hennig and Bletzinger.

Double Patenting

Claims 1-16 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 and 15-20 or claims 1-7 and 14-20 of U.S. Patent No. 6,824,536 or 6,932,805 in view of Hennig (claims 1-16) and Child (claim 11).

With respect to claims 1-16 and double patenting: Applicant respectfully traverses the rejection as Randall et al. and/or Kollwitz et al. fail to disclose or teach a tampon comprising a longitudinal centerline and a cross-sectional area defined orthogonal to said centerline and a mass of absorbent material formed into a self-sustaining shape, wherein the self-sustaining tampon comprises an insertion end region comprising an insertion end fiber density, a withdrawal end region, wherein the withdrawal end region comprises a withdrawal end region fiber density; and a center region intermediate said insertion end region and the withdrawal end region, wherein the center region comprises a center region fiber density, wherein the self-sustaining shape has an outer surface which is substantially serpentine; and wherein the insertion end region fiber density is greater than said center region fiber density.

Randall et al. teaches a shaped tampon wherein the average fiber density of the maximum perimeter region, which typically resembles a bulb near the insertion end of the center region, is less than the average fiber density of the minimum perimeter (center) region. (col. 6, lines 55-59) Further, Randall et al. discloses that the tampons may have a minimum perimeter (center) region fiber density that is from about 105% to about 150%, alternatively from about 110% to about 130% of the maximum perimeter region average fiber density. (col. 7, lines 1-5) Therefore, Randall et al. does not teach a tampon

wherein the insertion end region fiber density is greater than the center region fiber density, but rather the opposite, wherein the fiber density is greater in the center region as compared to the insertion region.

Kollwitz et al. teaches a shaped tampon wherein the average fiber density of the maximum perimeter region, which typically resembles a bulb near the insertion end of the center region, is less than the average fiber density of the minimum perimeter (center) region. (col. 6, lines 4-8) Further, Kollwitz et al. discloses that the tampons may have a minimum perimeter (center) region fiber density that is from about 105% to about 150%, alternatively from about 110% to about 130% of the maximum perimeter region average fiber density. (col. 6, lines 17-21) Therefore, Kollwitz et al. does not teach a tampon wherein the insertion end region fiber density is greater than the center region fiber density, but rather the opposite, wherein the fiber density is greater in the center region as compared to the insertion region.

Further, Hennig teaches a tampon for closing of an excretory opening, which has two longitudinal sections **14** of low compressibility and high expansion capability, separated by an intermediate section **16** which can be thinner, but generally will be of a material of high compressibility and substantially lesser expansion characteristics than the sections **14**. (col. 2, lines 57-62) As noted in the Office Action on page 5, Hennig at col. 3, lines 17-20 discloses that, "a lesser expanding and/or higher compressible section **16** will be located between sections of low compressibility and high expansion." Therefore, Hennig would not teach or suggest to one of ordinary skill in the art the tampon of the present invention in which the insertion <u>end</u> region is of greater density than the center region, in that Hennig requires the region of high compressibility to have sections of lesser compressibility on <u>both</u> sides of it along the longitudinal center line.

Accordingly, Applicant submits that claims 1-16 are not obvious in view of 6,824,536 or 6,932,805 and Hennig or Child.

Claims 1-6 and 8-16 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of copending Application No. 10/770,775.

Upon notice of allowable subject matter Applicant will take appropriate action, including the filing of a Terminal Disclaimer if required.

Claim 7 has been provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claim 7 of copending Application No. 10/700,775.

Upon notice of allowable subject matter Applicant will take appropriate action, including the filing of a Terminal Disclaimer if required.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the objections to the drawings, description and claims, rejections under 35 U.S.C. §112, §102 and §103, and the double patenting rejections. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the above amendments and allowance of Claims 1-16 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By _____
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Date: January 19, 2006
Customer No. 27752